

App. No. 10/825,740  
Amendment dated July 5, 2005  
In reply to Office Action dated April 7, 2005

Docket No. 1232-430US1

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 5, 7-14, 19 and 25 are pending in this application. Claims 5, 11, 19 and 25 are independent. All of the pending claims stand rejected.

By this amendment, independent claims 5, 11, 19 and 25 are amended. Dependent claims 7-10 and 12-14 are also amended for the consistency with the amended independent claims. No new matter has been added by this amendment.

#### **Rejection under 35 U.S.C. §102**

In paragraph two (2) of the Office action, claims 5, 7-14, 19 and 25 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,555,294 to Abe ("Abe")

In paragraph four (4) of the Office action, claims 5, 7-14, 19 and 25 have been further rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,047,006 to Brakefield et al. ("Brakefield").

Independent claims 5, 11, 19 and 25 are amended for further clarification. In particular, one of the aspects of the present invention as commonly featured in amended claims 5, 11, 19 and 25 is to set a communication scheme in which a user determines whether or not a bulk communication is granted in a sending communication and a receiving communication independently. The bulk communication is a communication method in which the communication apparatus communicates with a single communication partner using all of the

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plurality of channels. See, for example, the first full paragraph of page 2 (i.e., lines 3-10) of the original specification.

The present invention further controls the number of communication channels in the sending communication and the receiving communication separately based on the communication scheme enabling the user to control the bulk communication in the sending communication and the receiving communication independently.

Abe discloses a communication apparatus (i.e., a facsimile terminal) having an option to set a special-purpose mode in which at least one of a plurality of channels is left free. Abe describes that "[i]n this facsimile terminal, one channel of the communication channels is left free for reception (or transmission) during facsimile transmission (or reception), thereby making facsimile reception (or transmission) possible at all times." Col. 6, lines 27-31 of Abe.

While Abe's facsimile terminal is directed to a situation in which a call request is always granted by using the left over channel, Abe does not show or suggest a setting scheme of the present invention by which a user can set and control a granting/denying scheme of a bulk communication.

Brakefield discloses a communication method in which a data device 12 (i.e., a computer system) detects a call attempting signal by a remote audio device 22 (i.e., a telephone) from the central office 16 (i.e., PSTN switching office). The data device then surrenders a channel for the call attempts by the remote audio device if the data device occupies both B-channels of the ISDN line. In other words, Brakefield's method discloses "surrendering" a channel to a new call requester while conducting a bulk communication.

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Brakefield, however, does not show or suggest that the granting/denying the bulk communication is controlled independently in an incoming call and an outgoing call as specifically recited in amended claims 5, 11, 19 and 25.

Accordingly, each of claims 5, 11, 19 and 25 as amended is neither anticipated by nor rendered obvious in view of Abe and Brakefield, either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 5, 11, 19 and 25 under 35 U.S.C. §102 is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

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**AUTHORIZATION**

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4530US1). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
MORGAN & FINNEGAN LLP

Dated: July 5, 2005

By: 

Sung Ho Hong

Registration No. 54,571

CORRESPONDENCE ADDRESS:  
MORGAN & FINNEGAN L.L.P.  
3 World Financial Center  
New York, New York 10281-2101  
(212) 415-8700 Telephone  
(212) 415-8701 Facsimile

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CORRESPONDENCE ADDRESS:  
MORGAN & FINNEGAN L.L.P.  
3 World Financial Center  
New York, New York 10281-2101  
(212) 415-8700 Telephone  
(212) 415-8701 Facsimile